

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN W. MABRE,

Plaintiff,

v.

MONTEGO BAY CASINO,

Defendant.

Case No. 3:25-CV-00016-ART-CLB

ORDER ADOPTING REPORT AND
RECOMMENDATION

Plaintiff John W. Mabre brings this action against Montego Bay Casino, asserting disability discrimination claims. Before the Court is Magistrate Judge Carla Baldwin's report and recommendation (R&R) (ECF No. 7). The R&R recommends that the Court dismiss Mabre's case with prejudice and enter judgment accordingly.

Magistrate judges are empowered to issue reports and recommendations on dispositive issues, which district judges may "accept, reject, or modify, in whole or in part." 28 U.S.C. § 636(b)(1)(C). Where, as here, neither party objects to a magistrate judge's recommendation, the district court is not required to perform any review of that judge's conclusions. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Judge Baldwin recommends that Mabre's case be dismissed with prejudice because Mabre has failed to prosecute an action. (ECF No. 7 at 1-2.) Judge Baldwin held that Mabre's action weighs toward dismissal because four of the five factors considered under *Thompson v. Hous. Auth. of City of Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986)—the public's interest in expeditious resolution of litigation, the court's need to manage its docket, the risk of prejudice to the defendants, and the availability of less drastic alternatives—weigh in favor of dismissal, while only one—public policy in favor of disposition of cases on their

merits—weighs against dismissal. (*Id.* at 3–4.)

Mabre has not objected to Judge Baldwin’s R&R, and his time to do so has now expired. The Court agrees with Judge Baldwin’s reasoning and adopts her R&R in full.

Conclusion

It is therefore ordered that Judge Baldwin’s report and recommendation (ECF No. 7) is adopted in full.

It is further ordered that Plaintiff’s complaint (ECF No. 1-1) is dismissed with prejudice.

The Court instructs the Clerk to close the case and enter judgment in favor of Defendant.

DATED: May 20, 2025

A handwritten signature in black ink, appearing to read "Anne R. Traum", is written over a horizontal line.

ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE